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Notice of Allowability

Application No.

09/821,444

Examiner

Mary J. Steelman

Applicant(s)

SAKAI, JUNJI

Art Unit

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/2/2005, 4/8/2005.
2. ☒ The allowed claim(s) is/are 1-34.
3. ☒ The drawings filed on 13 July 2005 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 11/17/2004, 08/18/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other Copy of accepted drawings.


TUAN DAM
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. This Office Action is in response to Remarks received 3/2/2005 and 4/8/2005. Per Applicant's request, claim 34 has been added. Per Applicant's request claims 7, 15, 26, and 32 have been amended.

Information Disclosure Statement

2. Examiner has signed IDS received 11/17/2004. Examiner has signed IDS received 8/24/2005. Examiner has located the English version of the Aho reference, "Compilers II, Principles, Techniques, and Tools" which provides background information related to loops in flow graphs. As such, this English version will be documented in Form 892.

Drawings

3. Examiner has accepted Replacement Sheet Drawings for Prior Art Figures 18, 19, 20A, 20B, and 21. Prior objections to the drawings are hereby withdrawn.

Claim Objections

4. In view of amendments to claims 7, 15, 26, and 32, the prior claim objections are hereby withdrawn.

Allowable Subject Matter

5. Claims 1-34 (renumbered in order 1-34) are allowed.

6. The following is a statement of reasons for the indication of allowable subject matter:

Regarding independent claims 1, 7, 15 and 28, as Applicant has noted on page 26, 3rd paragraph of Remarks received 3/2/2005, cited prior arts, taken alone or in combination, fail to disclose, "a fork spot determination section for determining based on a result of the register allocation trial

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by said register allocation trial section whether or not a conditional branch portion of the intermediate program should be converted into a parallel code...” and “an instruction reordering section...based on a result of a determination by said fork spot determination section and referring to the result of the register allocation trial to insert an instruction for assuring a data-dependence relationship between threads ...before and after the thread creation instruction...”

Regarding independent claims 11 and 34, as Applicant has noted on page 27, 3rd paragraph of Remarks received 3/2/2005, cited prior arts, taken alone or in combination, fail to disclose, “a means for calculating a distance of data dependence generated through a memory in the target processor apparatus for the intermediate program.” The ‘distance of data dependence’ as defined in the Specification, page 25, lines 10-18, refer to the number of steps in the intermediate program of the position of the memory reference instruction from the top of a branching destination block for each of those intermediate terms/ variables estimated to be arranged on the memory from among the intermediate terms/ variables which are defined in a basic block being and may possibly be referred to by the branching destination.

Thus all remaining dependent claims, claims 2-6, 8-10, 12-14, 16-27, 29-33 are allowed.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant’s disclosure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Steelman, whose telephone number is (571) 272-3704. The examiner can normally be reached Monday through Thursday, from 7:00 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached at (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mary Steelman



08/29/2005



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